
**Wisconsin Department of Health and Family Services
Division of Children and Family Services**

STATE PLAN OF OPERATION

for

**THE EMERGENCY FOOD ASSISTANCE PROGRAM
(TEFAP)**

August 2000

Table of Contents

- I. Administration**
 - A. State Administration**
 - B. Local Administration**
 - C. Emergency Feeding Organizations**
- II. Eligibility Determination**
 - A. Income Based Standards – Participation Criteria**
 - B. Demonstration of Eligibility**
 - C. Self-Declaration**
- III. Storage and Distribution**
 - A. Storage Facility Information**
 - B. Storage Facility Contract**
 - C. Kind/Cost of Storage Facility**
 - D. Transportation**
 - E. FNS Instruction 709-5**
- IV. Allocation of Commodities**
 - A. Frequency of Distributions**
 - B. Equitable Allocation Shares**
 - C. Procedures for Receipting TEFAP Commodities**
 - D. Procedures for Allocation of TEFAP Commodities**
 - E. Inventory Records/Controls**
 - F. Inter-State Cooperative Agreements**
- V. Program Monitoring**
 - A. Number of EFO Reviews**
 - B. EFO Review Procedures**
 - C. Program Complaints**
 - D. Program Deficiencies**
 - E. 7 CFR-3015**
 - F. Federal Audit Requirements**
 - G. Audit Requirement Instructions**
 - H. FNS Assessment of Claims Procedures**
- VI. Funding and Match Requirements**
 - A. Estimate of State/Local Costs for FFY 2001**
 - B. Match Requirement**
 - C. Matching Cash Contribution**
 - D. State Formula for Allocation of Funds to EFOs**
 - E. Federal Funding to EFOS for FFY 2001**
- VII. Program Training**
 - A. Training Procedures**
 - B. Training Sessions**
 - C. Wisconsin Food Security Consortium**

Table of Contents (continued)

VIII Nondiscrimination

- A. Public Notification**
- B. Non-English Materials**
- C. Discrimination Complaints**
- D. USDA “....And Justice for All” Posters**

Appendices

- A. State/Agency Agreement between DHFS and EFOs**
- B. Standards of Excellence**
- C. EFO Listing (Program Directory) and Counties Served**
- D. Outlet Listing**
- E. Eligibility Certification for TEFAP Commodities (CFS-2001)**
- F. Interagency Agreement between DHFS and DPI**
- G. Commodity Order Worksheet (PI-1411)/Commodity Invoice (PI-1412)**
- H. Inventory Tracking Forms (CFS 2000, CFS 2002, CFS-2003)**
- I. Transfer of TEFAP Commodities Between EFOs (CFS-2006)**
- J. State/Agency Agreement between DHFS and WISCAP**
- K. EFO Monitoring Review Instruments (CFS 2112, CFS 2113, CFS 2143, CFS-2144)**
- L. TEFAP Commodities Loss Report (CFS-2004)**
- M. Spanish Materials**
- N. TEFAP Commodity Complaint Report (CFS-2005)**

I. Administration

Provide a description of the general and location of administration and organization structure of the program, Emergency Feeding Organization and local distribution site.

A. A designation of the State agency responsible for distributing TEFAP commodities and administrative funds, the address of such agency and the name of the agency official entrusted with binding signature authority.

The Department of Health and Family Services (DHFS) has the responsibility for administering both the administrative funds and commodities made available through The Emergency Food Assistance program (TEFAP) in the State of Wisconsin. Within DHFS, TEFAP is assigned to the Bureau of Programs and Policies (BPP) in the Division of Children and Family Services (DCFS). The Secretary of DHFS is Mr. Joe Leann. The administrator of DCFS is Mrs. Susan N. Dreyfus and the Director of BPP is Mr. Mark D. Campbell. Mr. Thomas E. Alt, Deputy Secretary, has binding signature authority for documents required in the administration of this program. The address for the Bureau of Programs and Policies is P. O. Box 8916, 1 West Wilson Street, Madison, Wisconsin, 53708-8916.

B. A description of the standards of eligibility for recipient agencies, including any subpriorities within the two-tier priority system described in Section 251.4 (h).

DHFS selects interested EFOs based on their administrative and operational ability. The EFO and its agents must be a federally tax-exempt, non-profit, private or governmental agency legally authorized to operate in the State of Wisconsin. A non-profit organization must have a current Not-for-Profit Corporation Charter from the Wisconsin Secretary of State and verification from the Internal Revenue Service of exemption from federal income tax liability as stated in Section 501 ©(3) of the Internal Revenue Code. DHFS contracts with EFOs on an annual basis corresponding to the Federal Fiscal Year (FFY) – Appendix A. EFOs must comply with all contractual provisions outlined in the base annual State/Agency Agreement and/or subsequent modifications to the base agreement.

In FFY 1999, DHFS developed standards consistent with the federal intent to maximize and target limited resources available for emergency food assistance – Appendix B. These standards were developed to provide guidance for implementation of consistent community standards and best practices to effectively address food security issues statewide. In FFY 2000, these standards were reviewed in collaboration with our local EFOs and the Wisconsin Community Action Program Association (WISCAP) in efforts to provide the flexibility needed to administer this program with the resources available in each community while requiring both DHFS and its EFOs to maintain a level of program excellence.

EFOs participating in this program must guarantee the following:

- a system that maximizes site availability and accessibility;
- emergency access to food;
- non-duplication of services;
- access to a nutritionally balanced food package;

- distribution of food to provide meals for a 3-5 day period;
- a fifty (50) percent food match for TEFAP commodities (combining federal commodities with nutritional food or non-food items from sources other than USDA);
- access to a comprehensive continuum of services;
- that all participating outlets are following the current policies and procedures in the operation procedures of a food outlet; and
- submission of an annual plan for approval by DHFS.

DHFS is committed to ensuring the overall availability and effectiveness of program services for low-income families and individuals in Wisconsin. The intent of this program is to assist local charitable outlets in developing their capacity to meet basic and emergency food needs of low-income households and to serve as a convenient resource in accessing information and referrals for other service programs. In helping to achieve food security in local communities, DHFS has collaborated with partner agencies to develop and implement a food delivery system that maximizes total food and funding resources. This collaboration will improve the overall effectiveness, efficiency and capacity of the food pantry network in Wisconsin. By contracting with EFOs, DHFS is able to ensure a more effective and comprehensive system statewide and assist in promoting self-sufficiency for the families and individuals served by TEFAP.

This contracting process has also resulted in a logical progression consistent with DHFS goals to consolidate contracts, improve efficiency and provide effective monitoring in local communities and ensure a more effective and cost efficient system statewide. Our focus continues to be directed toward a holistic approach in serving low-income people within an environment that motivates and provides opportunities for families and individuals to achieve self-sufficiency. DHFS remains committed to utilizing this unified, consolidated approach in partnership with these agencies to strengthen the food security system statewide.

C. Give the number of Emergency Feeding organizations and the location of distribution sites in the State. (Providing a list of EFOs is optional.)

DHFS currently contracts with 16 Emergency Feeding Organizations (EFOs) in 72 counties throughout the State to administer TEFAP, including 14 community action agencies, an Indian tribe and a private, non-profit organization in Milwaukee County – Appendix C. Our EFOs currently have subcontracts with approximately one hundred and eighty-five (185) pantries and seventy (70) soup kitchens (including shelters) statewide. Forty (40) of the pantries and fourteen (14) of the soup kitchens participating in TEFAP are located in Milwaukee County – Appendix D.

EFOs may recruit additional non-profit agencies or groups (local outlets) to assist them in the distribution of TEFAP commodities and other donated food. EFOs must subcontract with outlets on an annual basis in order to utilize the TEFAP commodities. The annual agreement with those outlets must coincide with the current FFY . The EFO retains responsibility for fulfillment of all terms and conditions of the State/Agency Agreement when it enters into subcontractual agreements. EFO and outlet responsibilities are outlined in Exhibit I of the State/Agency Agreement – Appendix B.

II. Eligibility Determination

Provide a detailed description of the criteria and/or standards (established in accordance with Section 251.5 (b)) which is used by the eligible recipient agencies in determining the eligibility of households to receive TEFAP commodities for home consumption.

A. Does the criteria include income based standards. (Explain).

Wisconsin households are eligible for participation in the program if the total gross monthly income for the household is equal to or less than 150 percent of the federal poverty level for the household. Eligibility is based on current income status and self-declared eligibility for participation. The United States Department of Health and Human Services (DHHS) revise the poverty guidelines on an annual basis. The EFOs and their designated distribution sites are required to use the updated guidelines for utilization by May 1 of the current fiscal year, depending on the availability of the information from DHHS in a timely basis. The DHFS reserves the right to change the income eligibility guidelines to maximize and target resources to our neediest citizens.

Recipients of meals served at soup kitchens and emergency homeless shelters are not required to complete an application form to determine eligibility. Persons who voluntarily choose to obtain a meal at a soup kitchen are considered eligible for purposes of participation. However, DHFS does reserve the right to require the EFOs to implement a means test at soup kitchens to ensure that only predominantly needy persons are receiving program services.

B. How do households demonstrate eligibility under these standards. (Examples: proof of residency, income, etc.)

Self-declaration is the means used to determine eligibility for low-income households to participate in the program. Needy persons receiving TEFAP commodities from a food pantry must sign the Eligibility Certification for TEFAP Commodities (CFS-2001) each time commodities are received to attest they meet the income eligibility guidelines for the program – Appendix E. The applicant's signature places the responsibility for documenting eligibility directly on the recipient and relieves volunteers of both legal and programmatic liability.

The State allocates TEFAP commodities to each county based on its low-income and unemployed population. Therefore, the EFO and its distribution sites must require that recipients are residents of the county in which they receive TEFAP commodities. All recipients must be residents of Wisconsin for a minimum of one day. Recipients may be required to provide proof they reside within the distribution site's designated area of service. Further geographic restrictions may be imposed by the EFO provided each service area has an accessible site within a reasonable distance for recipients.

C. Under what circumstance, if at all, is self-declaration allowed.

Refer to A. and B.

III. Storage and Distribution

Provide details of the State Agency's contracted storage facility agreement describing the services, cost and restrictions of the contract.

Each EFO selected for a State/Agency Agreement serves a specific geographic area. The geographic service area is defined in terms of the total number of seventy-two (72) counties in Wisconsin. Commodities and administrative funds are awarded to the EFO based upon fifty (50) percent of the persons in poverty and fifty (50) percent of the unemployed persons in its geographic service area relative to these figures for the entire state. The funds are available for storage and delivery services for TEFAP commodities and administrative services. DHFS reimburses its EFOs through an annual budgetary funding system based upon approval of a line item budget for the FFY. DHFS does not require the separation of expenditures for storage and distribution between privately donated food and TEFAP commodities. In FFY 2000, EFOs will distribute approximately 4.2 million pounds of TEFAP commodities valued at \$2.8 million. EFOs will distribute an additional 50 percent in privately donated food during FFY 2000 due to the required 50 percent match component. DHFS defines donated food as food from other sources than TEFAP, e.g., food banks, privately donated food and food purchased with monetary donations.

A. Names, location and type (commercial, state owned) of each storage facility.

DHFS contracts with the Wisconsin Department of Public Instruction (DPI) to take receipt, store, deliver and handle claims for TEFAP commodities – Appendix F. By linking with the existing DPI food delivery system for other programs, DHFS has realized significant cost savings over private provision for these services. DHFS covers the cost for delivery of TEFAP commodities to the local EFOs by DPI contracted transportation services. The TEFAP commodities are shipped from DPI warehouses to a central location in the EFO county service area. Only one-drop site per county is allowed under provisions in the Interagency Agreement with DPI.

DPI contracts with Central Storage and Warehouse Company, a commercial warehouse, with two locations (one in Eau Claire and one in Madison) to store TEFAP commodities that are received from USDA. Central Storage and Warehouse, Inc. in Eau Claire serves forty-five (45) counties in the northern area of the State and in Madison serves twenty-two (22) counties in the southern area of the State. The commercial warehouses and carriers are selected on a competitive bid basis by DPI. Whenever possible, the commodities allocated to Milwaukee County are directly shipped by USDA to the Hunger Task Force of Milwaukee. We may also request that USDA ship directly to those local EFOs that can meet the required criteria for receipt of TEFAP commodities.

B. Length of each storage facility contract; what mode of shipment can be accepted at the warehouse (truck, rail, piggyback).

DPI has a contract with Central Storage and Warehouse, Inc. for one year, with an option of four one-year renewals. DPI is currently in its second year of contract renewal with Central Storage and Warehouse. Central Storage and Warehouse, Inc. accepts only truck deliveries.

C. Kind of storage available (dry, cooler and freezer) and the cost for each (by the pound or hundred weight).

Dry, cooler and freezer storage is available and the charge is \$.1850 per case per month for each type of storage. In the Interagency Agreement with DPI, DHFS agrees to reimburse DPI at a rate not to exceed \$.055 per pound for the delivery and storage of TEFAP commodities on our behalf – Appendix F.

D. Transportation – does your State agency have a separate contract for transportation? Provide the name, address and the length of the service contract. Is your State agency assessed charges per unit, pound or hundredweight.

Carrier service for the delivery of TEFAP commodities to the EFOs is subcontracted through the warehousing contract that DPI has with Central Storage and Warehouse, Inc. The contract period is under the same stipulations as is for the warehousing contract, i.e., one year with an option of four one-year renewals. Central Storage and Warehouse is currently in its second year of contract renewal with Midwest Perishables, Inc. in Madison, Wisconsin, to provide delivery services through each of the Central Storage warehouse locations. Charges are assessed by hundred weight.

E. Are there any restrictions within the State agency warehouse/transportation agreement that would affect the receiving, storing, handling and distribution of TEFAP commodities in accordance with FNS Instruction 709-5 and current policies.

No. There are no restrictions within the State agency warehouse-transportation agreement that would affect receiving, storing, handling and distribution of TEFAP commodities in accordance with FNS Instruction 709 – 5 policies.

IV. Allocation of Commodities

Provide a detailed description of the State agency's allocation procedures.

The system developed and operated by DPI on behalf of DHFS for distributing a fair share of commodities ensures all geographic areas of the State receive their equitable share of TEFAP product. The fair share system allocates TEFAP commodities to the 16 EFOs based upon a fifty (50) percent poverty and fifty (50) percent unemployment formula for each geographic service area relative to the total available for the State. DPI staff then reviews the data on available product and determines the most effective manner to offer product to EFOs. The contracted carrier in each warehouse area (Eau Claire and Madison) then delivers the product ordered by the EFO to the EFOs. The system is updated with each product order, whether entitlement or bonus.

A. How does the State agency determine frequency of distribution to its EFOs and are there scheduled distributions.

EFOs receive shipments from the DPI contracted carrier on a monthly basis throughout the month when product is available with the exception of July of each calendar year. There are no deliveries to EFOs during the month of July to allow DPI staff to conduct the annual inventory reconciliation at the contracted warehouses in Eau Claire and Madison. Whenever possible, the commodities allocated to Milwaukee County (Hunger Task Force of Milwaukee) are directly shipped by USDA to their Milwaukee warehouse. Direct shipments of commodities from USDA to Hunger Task Force of Milwaukee are received on a continuous basis. DHFS may also request that USDA ship directly to those local agencies (minimal number) that meet the required criteria for receipt of TEFAP commodities, i.e., have a USDA entity code assigned and are able to accept full truckloads according to the storage and handling requirements of USDA. Specific instructions regarding the procedures for accepting product are included with the Commodity Allocation Worksheet (DPI 1411) and the Commodity Allocation Worksheet (PI-1412) – Appendix G. The EFO must maintain a written inventory of all TEFAP commodities received, distributed and on hand, (CFS 2002) and submit monthly inventory of all TEFAP commodities to DHFS on the forms provided for this purpose – Appendix H.

B. Explain how the quantity of commodities are distributed to ensure that EFOs receive their equitable share throughout the State.

The USDA/FNS formula used to establish each State's fair share food levels are based on the current weighted poverty and unemployment index which combines the number of persons in each State below the poverty level sixty (60) percent and the number of persons unemployed forty (40) percent. DHFS reallocates commodities based on the number of people below the poverty level fifty (50) percent and the unemployment rate fifty (50) percent in the EFOs geographic service area for entitlement and bonus product. Adjustments are made based on the amounts utilized in the area served by each EFO. This formula provides a more equitable allocation method, as it considers fluctuation in the unemployment rate. This system assures that EFOs receive an equitable share of TEFAP commodities for their geographic service area.

C. Explain the State agency's established procedures for receipting of donated foods.

DPI uses the form KC-269-A, Forwarding Notice, to record receipt of USDA commodities that are shipped directly from the USDA vendors to the DPI contracted warehouses. The forms are forwarded to the warehouses by DPI to complete upon receipt of the commodities. As indicated on the form, the quantity received in good condition is recorded. The warehouse representative then signs the form and dates it according to the date of receipt. If there are over, short and/or damages, they are noted on the form, and a form FNS-57, Report of Shipment Received Over, Short and/or Damaged is completed. Completed Forwarding Notices and any other shipping papers, which may be necessary, are submitted to DPI and recorded in their records.

The USDA commodities that are shipped directly to Milwaukee Hunger Task Force of Milwaukee are shipped according to shipping orders prepared by DPI. Upon receipt of these commodities, the EFO counts and inspects the product, notes the amount received in good condition and any over, short and/or damages on the shipping order. In addition, the shipping order must be signed and dated by an authorized representative of Hunger Task Force. The EFO submits a copy of the completed shipping order to DPI.

D. Explain the procedure and/or guidelines established by the State agency to ensure EFOs utilize the appropriate procedures for receiving and allocating TEFAP commodities.

The EFO shall use objective criteria to develop a percentage formula in determining the amount of commodities allocated to each distribution site within its geographical service area. The formula must include the specific method and data sources used in establishing an allocation rate and to determine site allotments to ensure commodities are distributed in an equitable manner to all distribution sites in the EFOs geographical service area. Acceptable data sources include unemployment statistics, U.S. Census data, participation and records of service levels (which are proportionate to the number of households served the previous month) and other objective indicators of need. All methods used by an EFO to determine allocation rates must have prior approval from DHFS. The donated food distributed by a site as the fifty (50) percent match requirement may not be used by the EFO to calculate the allocation percentage assigned to the site for receipt of TEFAP commodities. The EFO must submit an annual allocation plan that includes the specific method and data sources used to determine the percentage formula to allocate TEFAP commodities to distribution sites – Appendix B.

E. Explain how the State agency ensures that no emergency feeding organization receives commodities in excess of its anticipated use, based on inventory records and controls or in excess of its ability to accept and store such commodities.

DHFS strongly encourages that commodities allocated to each county be fully utilized. Each EFOs service area uses allocations based on the low-income and unemployment figures of each county. Commodities are allocated to each EFO on a monthly basis using the allocation formula described above. The EFOs may order all, some, or none of the foods available, based on its anticipated usage and considering the amount of inventory currently on hand. The EFO provides TEFAP commodities without charge to eligible soup kitchens and pantries based on the poverty and unemployment conditions in its service area. Whatever

method of allocation used by the EFO, efforts must be made to allocate TEFAP commodities in a fair and equitable manner to its outlets to allow low-income persons an equal opportunity to receive commodities. The EFO's judgment regarding food supplies needed at the pantries and soup kitchens for a thirty (30) day period determines the actual amount of food ordered. Experience has proven that it is best to allow the EFO the discretion for allocation of products to its outlets. The EFO must consider the following:

- storage capabilities;
- organizational skills of the site and its staff;
- the average number of clients served previously; and
- existing inventory.

The EFO allocates TEFAP commodities to soup kitchens and pantries in a manner that is reasonable for use during a thirty (30) day period. The EFO may order commodities only in quantities that can be distributed without waste, and on a first-in, first-out (FIFO) basis. Commodities not ordered by any EFOs will be reallocated and offered to all EFOs in the appropriate warehouse area during subsequent allocation periods. EFOs may also transfer TEFAP commodities to other soup kitchens or pantries in its service area where the demand for product exceeds the supply. All transfers of product must be made with DHFS prior approval – Appendix I.

DHFS requires that EFOs must have adequate warehousing for their respective service area. Inventory management is the responsibility of the EFOs and their sites. With the exception of fresh produce, there is little possibility that available products will not be distributed in a timely and appropriate manner. DHFS is cautious in accepting fresh produce and carefully monitors EFO distribution of fresh and frozen products.

F. Does the State have any inter-state cooperative agreements to provide commodities to other feeding organizations across state lines.

DHFS has no inter-state cooperative agreements to provide TEFAP commodities to Emergency Feeding Organizations across State lines.

V. Program Monitoring

Provide a detailed description of the State agency's procedures for monitoring the program to ensure compliance with the regulations and guidance provided by FNS. This includes an outline of any factors, which may contribute to the State's requesting approval of exceptions to conducting the minimum number of reviews as required by Section 251.10 (e).

DHFS will conduct desk and on-site reviews for one-fourth of the EFOs with whom we have a contract every four (4) years and has entered into a contract with The Wisconsin Community Action Program Association (WISCAP) to conduct a minimum of 20 outlet reviews on our behalf in FFY 2000. Under the provisions of the State/Agency Agreement with DHFS, staff from WISCAP will monitor and evaluate program operations in local communities on our behalf – Appendix J. WISCAP will perform all functions necessary to determine contract performance and compliance with State and Federal regulations including on-site and desk reviews. They will also provide training and technical assistance to EFOs to increase knowledge of best practices, current and consistent operating standards, and client referral services in efforts to increase agency capacity to serve low-income families.

A. Determine the number of EFO reviews to be conducted during the upcoming fiscal year. Give the number of review sites and explain the process for selecting the review sites.

DHFS will complete four (4) EFO reviews annually on a rotating basis.

B. At a minimum, explain what steps the State agency uses to ensure that their review of an EFO encompasses how eligibility is determined, the EFO's food ordering procedures, storage and warehousing practices, inventory controls, approval of distribution sites, and reporting and recordkeeping requirements.

The EFO must ensure that pantries receiving TEFAP commodities are using the required Eligibility Certificate to determine household eligibility each time TEFAP commodities are received by the household – Appendix K. Monitoring criteria includes, but is not limited to, the following:

- issuance rates;
- eligibility guidelines;
- sufficient storage facilities;
- accountability;
- completed eligibility certificates;
- public outreach activities;
- site selection process;
- adequate coverage for geographic area;
- EFO site monitoring;
- product accountability;
- allocation procedures;
- storage and warehousing practices;
- inventory and inventory controls;
- expenditure data;
- complaint procedures;
- delivery to distribution sites;
- non-discrimination policies;
- all other contractual and administrative requirements of the State/Agency agreement;

- must have established minimal operational hours;
- current listing of the contact person and telephone, number of each outlets;
- maintain the fifty (50) percent match of food from other sources to supplement the commodities;
- USDA “And Justice For All Poster. and
- follow all current policy and procedures of TEFAP.

C. Explain the procedures the State agency uses for handling program complaints.

EFOs are accountable for USDA commodities until such time as the commodities are distributed to eligible households. Accountability remains with the EFO, as they are required to monitor the storage capabilities and practices of pantries and soup kitchens that utilize USDA commodities for meal preparation and/or distribute commodities for household consumption. If product loss is attributed to improper storage or other negligence by the pantry or soup kitchen, the EFO is held accountable for the loss. However, the EFO can pass on the costs associated with any claim to the responsible party.

A formal procedure has been established for handling complaints. The TEFAP Commodity Complaint Report (CFS-2005) must be completed and returned to DHFS when complaints regarding product occur – Appendix N.

D. Describe the process the State agency will use to handle program deficiencies.

Following the on-site EFO review, DHFS will submit a report of review findings to each agency reviewed, which includes the agency's strengths, a description of the findings, factors contributing to deficiencies, corrective action requirements and a timetable for corrective action. The EFO must respond to the report in writing within forty-five (45) days after receiving the report with a plan of action designed to address any deficiencies. DHFS or its designees may conduct additional on-site monitoring of EFOs and/or its sites to ensure corrective actions are implemented. DHFS will continue follow-up until concerns/findings are resolved – Appendix K.

E. Does the State agency ensure that all EFOs are aware of audit requirements as prescribed in 7 CFR part 3015.

Yes. Refer to State/Agency Agreement – Appendix A.

F. Does the State agency monitor the dollar value of commodities distributed to a particular EFO and use that information to determine if a Federal audit is required.

All EFOs submit the required audits as outlined in the annual base agreement - Appendix A.

G. Does the State agency provide instructions on how EFOs are to meet the audit requirement (explain).

All audit requirements are clearly outlined in the annual base agreement with our EFOs – Appendix A.

H. Does the State agency provide EFOs with the appropriate FNS policies and instructions regarding the assessment of claims (explain).

DHFS has developed reporting forms and procedures in accordance with the specific USDA requirements from 7 CFR 251.4 (1) regarding claims determination resulting from the loss of any USDA commodities. DHFS maintains a separate and specific claims register and file for the express purpose of documenting all losses. Determination for a claim action against the EFO for the value of the food loss remains with DHFS. All claims for substantial losses exceeding the USDA threshold will be forwarded to USDA.

Loss of commodities, resulting from spoilage or damage, having a value which exceeds \$100, must be reported to DHFS within 15 days of the occurrence or discovery on the forms provided by DHFS for this purpose - Appendix N.

Loss of commodities having a value less than \$100 must be reported to DHFS by the 15th of the month following the loss. These losses must be reported on forms developed by DHFS – Appendix L. Commodities may not be disposed of without prior authorization from DHFS.

Out-of-condition products are those commodities, which appear to have come from the processor in a contaminated, deteriorated, spoiled, infested or with latent defects in packaging. All commodities must be inspected upon receipt. Cans that are leaking or bulged, have sharp dents or rust on the seams are examples of out-of-condition products – Appendix N.

If foreign matter such as glass or metal is found in a product, the situation should be treated as an emergency. All out-of-condition losses must be reported by the EFO to DHFS by phone immediately. The EFO will then follow up with verbal notification by completing and submitting the CFS-2005 in accordance with specific USDA/FNS requirements included in 7 CFR 251.4 (1) – Appendix N.

After receiving a FOOD Safety Alert, staff in the Community Services Section of the Bureau of Program and Policies will notify each EFO within 24 hours via e mail or telephone regarding the problem. The EFO must respond by electronic mail or phone to confirm that the notification was relayed to their respective outlets.

VI. Funding and Match Requirements

Provide an explanation of how the state agency develops an administrative budget both Federal and non Federal and how it is monitored.

A. Give an estimate of State and local costs for the upcoming fiscal year.

We estimate that overall \$1,076,290 in Federal and State General Purpose Revenue (GPR) will be available for TEFAP in FFY 2001. This includes Federal funds in the amount of \$684,670; \$150,000 of State GPR funds used to reimburse the Wisconsin Department of Public Instruction (WDPI) for delivery and storage costs and \$170,000 of State GPR to help offset local costs associated with the continued development and expansion of pantries and soup kitchens statewide.

B. How will the State agency meet the matching requirement for the upcoming fiscal year (cash or inkind; as described under 251.9 (a)).

The State of Wisconsin's contribution to match Federal funds provided by USDA in the administration of TEFAP at the state level is comprised of a direct cash match. The contribution provided by Wisconsin will equal or exceed the minimum requirements set forth by USDA as described under CFR 251.9 (a).

C. Estimate the approximate amount of cash that will be contributed.

We anticipate the total annual projected administrative costs for FFY 2001 will be approximately \$122,460. The State appropriation provides a cash contribution equal to one-half of this amount (\$58,997). Note that indirect costs of \$4,466 are not matchable with State funds.

D. Describe the States formula for allocating funds to the EFOs.

DHFS allocates both TEFAP funding and food commodities through use of a formula based on fifty (50) percent of the poverty population and fifty (50) percent of the unemployed population for the EFOs geographic service area relative to the same factors for the entire State of Wisconsin. This formulaic percentage for the EFO's geographic service area is applied to the total funds available for EFOs to determine specific grant amounts. In FFY 2001, DHFS will continue to reimburse EFOs at the level provided in the previous contract period (\$648,764). Based on the current reimbursement level, we estimate seventy (70) percent of the federal TEFAP award will be expended as direct payments to EFOs during FFY 2001 (\$648,764 - \$478,764 FFP; \$170,000 State GPR).

E. Not less than forty (40) percent of the TEFAP administrative funds may be allocated to EFOs to provide advance payments for direct storage and distribution costs. Give an estimate of the amount of Federal funding the State agency will pass through to EFOs in the upcoming year.

Wisconsin currently provides \$478,764 (70 percent of its Federal funds) and an additional \$170,000 of State GPR directly to our EFOs. DHFS also reimburses the Department of Public Instruction (WDPI) for the handling, storage, allocation and delivery of TEFAP commodities using a combination of Federal and State GPR funding (\$120,000 FFP; \$150,000 GPR). The combined total EFO reimbursement and DPI costs incurred by DHFS on behalf of the EFOs far exceeds the federal requirement that not less than forty (40) percent of the federal funds be used for local reimbursement to EFOs for costs associated with operating TEFAP. DHFS assures USDA that a minimum of forty (40) percent of federal funds will be awarded to EFOs.

VII. Program Training

Describe the State agency's procedures for training its personnel involved in the Food Distribution Program.

A. Describe the procedures currently used by the State agency to instruct new EFOs on TEFAP.

All applicable federal and state regulations, policy updates, training and technical assistance are discussed with the EFOs during statewide meetings, trainings and conferences, scheduled throughout the year. Written operational memos are also provided on an as-needed basis. EFO program staff are required to participate in training sponsored by DHFS. EFOs are also responsible for conducting on-going training for staff and site volunteers. The training must include, but is not limited to, ordering and receiving commodities, issuance rates, eligibility requirements, commodity storage and handling procedures, reports, and paper recordkeeping. Technical assistance and training is also provided to the EFOs during the monitoring reviews conducted by DHFS and WISCAP staff.

B. Give a description of any training sessions to be held for the State agency personnel and/or the EFOs this fiscal year.

TEFAP Advisory Council

An Advisory Council for The Emergency Food Assistance Program (TEFAP) is comprised of representatives from all Emergency Feeding Organizations (EFO), WISCAP, BPP and the USDA/FNS Food Security Liaison for Wisconsin. Agencies/persons that administer the program under a subcontract with EFOs will also be offered an opportunity to participate as members of the Council. This body acts both as an advisory and working committee to DHFS and as a vehicle for enhanced communication between the State and other related local and government agencies. Policies, procedures and issues concerning the program will be presented to the Council for discussion and recommendation. Other EFO staff, volunteers or interested parties may address their concerns or questions in writing to the Council to be discussed at future meetings. Meetings will be held approximately four times per year. The TEFAP Administrator in BPP will also represent the Council on the newly created Food Security Consortium.

Wisconsin Food Security Consortium

DHFS and Miller Brewing Company have recently announced the formation of the Wisconsin Food Security Consortium, which will serve as a statewide advisory and working committee to the DCFS. The Consortium brings together the expertise and dedication of state, local and governmental agencies, businesses and community organizations to examine food security issues in Wisconsin and catalyze new solutions, resources and partnerships to make measurable improvements in food security for low-income citizens. The Consortium will provide a tremendous opportunity to forge new public/private partnerships to help move families up the food security continuum – from dependence on emergency food toward greater economic and nutritional self-sufficiency.

VIII. Nondiscrimination

Provide a description of the State agency's procedures and/or assurances that the nondiscrimination requirements are compiled in accordance with the application of Federal Regulations and FNS Instruction 113-3. (Indicate in what correspondence these requirements are mentioned).

A. How does the State agency ensure that public notification of the program is made available to minority and grassroots organizations.

DHFS, counties and providers are required to involve potential/actual advocates in the process of conducting self-evaluations, developing policies and procedures, conducting customer/client surveys and other related activities. (Refer to Section 3 of our CRC Standards and Resource Manual.)

The majority of our EFOs (13 of 16) are community action agencies that work primarily with grassroots organizations. The three other EFOs (Hunger Task Force of Milwaukee, Menonimee Indian Tribe and St. Vincent de Paul Community Center of Portage County) are also agencies that work primarily with grassroots organizations. EFOs are required by provisions in the State/Agency Agreement to ensure that information regarding TEFAP is made available to social service organizations that reach minorities and grassroots organizations. EFOs are required to maintain a public outreach system. The public outreach system must encourage participation and inform all potential participants, including minorities, of the availability and hours of operation throughout the jurisdiction of the EFO. The public outreach system must advise participants of the provisions for nondiscrimination and procedures for filing a complaint.

The EFO must publicize the regularly scheduled days and times of operation for all distribution sites in its service area. The posting of a sign at the physical location of the site to identify it as a food pantry or soup kitchen is essential. The distribution of posters, pamphlets, and newsletters throughout the geographic service area is a recommended form of public outreach/access. Public Service Announcements (PSA) are to be provided to local radio and television stations. Activities by the local distribution sites do not relieve the EFO of responsibility for conducting public outreach activities. Word of mouth shall not be used as the sole or primary method of conducting public outreach access.

It is the policy of Wisconsin's TEFAP to ensure that commodities are available to everyone who is economically eligible for participation. No otherwise qualified person may be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination in any manner on the basis of race, color, national origin, sexual orientation, religion, sex, disability or age. This covers eligibility for and access to service delivery, and treatment in all programs and activities. All employees of the EFOs are expected to support goals and programmatic activities relating to nondiscrimination in service delivery.

Qualified persons may not be excluded from employment, be denied the benefits of employment or otherwise be subject to discrimination in employment in any manner on the basis of age, race, religion, color, sex, national origin or ancestry, handicap (as defined in Section 504 of the Americans with Disabilities Act (ADA)), physical condition, developmental disability (as defined in s. 51.05 (5)), arrest or conviction record (in keeping with s. 111.32), sexual orientation, marital status or military participation.

B. What materials does the State agency provide to local agencies in languages other than English?

Eligibility certificates and a listing of TEFAP product names have been translated into Spanish and are supplied to all EFOs and their pantries – Appendix M. The monitoring tool used to review pantries and soup kitchens includes specific questions involving the availability of bilingual services and material.

C. Explain the State agency's procedures for handling discrimination complaints.

EFOs and their local agents must post the Equal Opportunity Policy, the name of the Equal Opportunity Coordinator and the discrimination complaint process in conspicuous places available to applicants and clients of services, applicants for employment, and employees. The complaint process must be made available in languages and formats understandable to applicants, clients and employees. EFOs and their agents must comply with DHFS guidelines in the Civil Rights Compliance Standards and Resource Manual for Equal Opportunity in Service Delivery and Employment, its service providers and their subcontractors. The EFO has primary responsibility to ensure the compliance of its agents. A copy of the Civil Rights Compliance Standards and Resource Manual for Equal Opportunity in Service Delivery and Employment for the Wisconsin Department of Health and Family Service (DHFS), Wisconsin Counties and Service Providers is enclosed. Section 4 of the CRC Standards and Resource Manual includes information regarding the Department's complaint procedures and our directive for counties and providers to establish their own internal mechanisms to address employee/client complaints.

D. Does your State agency require and ensure that EFOs and distribution sites display the USDA "And Justice for All" poster. (Indicate in what agreement or correspondence this requirement is indicated.)

State and federal requirements regarding nondiscrimination are included in the base annual agreement with our EFOs – Appendix A. In addition, all organizations that subcontract with EFOs are subject to the same requirements as referenced in the agreement. The nondiscrimination disclaimer described above is included on the application for participation signed by all program participants. All EFO and distribution sites must display the federal "...And Justice for All" poster at their administrative offices, pantries, soup kitchens and shelters as required by provisions in the base annual agreement. Compliance with this requirement is monitored during the on-site Quality Assurance Reviews.

EFOs must also provide access to the commodities for individuals who are unable to get to pantries, e.g., people with disabilities who are physically unable to get to pantries and the working poor whose job may prevent them from going to a pantry during regular hours. This may include migrant workers whose amount of pay is dependent on their stay in the field for a good share of the day. The minimum requirement is to allow these individuals to have another person pick up their commodities by presenting the required documentation for eligibility determination to the workers at a pantry.

Pantries must use a method that will maintain the basic self-declaration of eligibility that includes the following procedures for third-party pickup.

- 1) A signed request from the recipient for proxy representation must be provided;

- 2) Identification for the recipient, including their name and current local address must be provided;
- 3) Their own identification, indicating their name and current local address must be provided;
- 4) The person picking up commodities must sign the Eligibility Certification for TEFAP Commodities (CFS-2001) form with both the recipient's name and address and their own name and address, as well as the other information requested for the recipient – Appendix .

Some pantries use volunteers to take commodities to recipients who are homebound. If this method is used, recipients must sign the CFS-2001 form stating the recipient is within program eligibility guidelines, e.g., some agencies arrange to have the people who deliver “Meals on Wheels” to needy homebound recipients include TEFAP commodities with the meal delivery.